

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BCHAIN, LLC,

Plaintiff,

v.

**OBSIDIAN INTERNATIONAL, LLC;
JARRETT PRESTON; TIMOTHY
O'LEARY; AND IDONEUS HOLDINGS
LIMITED INCORPORATED,**

Defendants.

**OBSIDIAN INTERNATIONAL, LLC;
JARRETT PRESTON; TIMOTHY
O'LEARY; AND IDONEUS HOLDINGS
LIMITED INCORPORATED,**

Counterclaimants and Third-Party
Defendants,

v.

BCHAIN, LLC d/b/a SWOPX

Counterclaim Defendant, and

ABBAS SHAH,

Third-Party Defendant.

21-CV-03843 (TMR)

ORDER

Timothy M. Reif, Judge, United States Court of International Trade:

Upon consideration of Plaintiff's and Counterclaim-Defendants' Letter to the court of December 5, 2022 (Doc. 39), notifying the court that parties reached an agreement in principle resolving all issues:

It is hereby **ORDERED** that the above-entitled action is **DISMISSED** without costs and without prejudice to the parties' right to apply to reopen the action within thirty (30) days of the date of this Order if the settlement is not consummated. Any such application must show good cause for holding the case open in light of the parties' settlement and must be filed within 30 days of the date of this Order. Any request filed after 30 days or without a showing of good cause may be denied solely on that basis.

Further, if the parties wish for the court to retain jurisdiction for the purposes of enforcing any settlement agreement, they must submit the settlement agreement to the court within the same 30-day period. Unless the court orders otherwise, the court will not retain jurisdiction to enforce a settlement agreement unless it is made part of the public record. Any proposed order approving the settlement agreement that seeks the court's continued jurisdiction should either: (1) expressly state that the court retains jurisdiction to enforce the agreement; or (2) incorporate the terms of the settlement agreement in the order.

SO ORDERED.

Dated: January 12, 2023
New York, New York

/s/ Timothy M. Reif
Timothy M. Reif, Judge
United States Court of International Trade
Sitting by Designation
United States District Court for the
Southern District of New York